

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE AT GREENEVILLE**

Lori K. Wilhoit,)
Plaintiff,)
v.)
Time Insurance Company,)
Defendant.)
Civil Action No. 2:08-cv-00304

JOINT MOTION AND MEMORANDUM TO ADMINISTRATIVELY CLOSE CASE

Plaintiff, Lori K. Wilhoit ("Wilhoit") and Defendant, Time Insurance Company ("Time"), submit this Joint Motion to Administratively Close Case requesting closure of this civil action that is currently pending before this Court. The parties wish to administratively close this case at this time because litigation soon to be tried in state court may have a substantial impact on this civil action.

**MEMORANDUM IN SUPPORT OF JOINT MOTION TO
ADMINISTRATIVELY CLOSE CASE**

In support of their Joint Motion, the parties state that they seek an order to administratively close this case because litigation soon to be tried in state court may have a substantial impact on this civil action. Thus, the parties desire not to proceed with this case at this time. The Court has inherent power to administratively close a case for the convenience of the Court. Administratively closing the case is purely an administrative device that does not affect the substantive or procedural rights of the parties in interest to proceed before this Court at a later date. The parties agree that this case may be re-opened later by any party upon written motion. To administratively close a case merely means to close a case for statistical purposes in the office of the District Court Clerk and the Administrative Office of the United States Courts.

The parties believe that entry of such an order may have a substantial impact on resolution of the claims presented in this case and may obviate the necessity of proceeding in this case.

Thus, for the foregoing reasons, the parties believe an Order Administratively Closing this Case is appropriate, all subject to being re-opened later upon motion of any party.

Respectfully submitted,

SHERROD, GOLDSTEIN & LEE
Attorneys for Plaintiff, Lori K. Wilhoit

By /s/ Howell H. Sherrod, Jr.

Howell H. Sherrod, Jr.
249 East Main Street
Johnson City, Tennessee 37604
Phone: (423) 928-8321

BAKER, DONELSON, BEARMAN, CALDWELL &
BERKOWITZ, P.C.
Attorneys for Defendant, Time Insurance Company

By /s/ S. Russell Headrick

S. Russell Headrick
265 Brookview Centre Way, Suite 600
Knoxville, TN 37919
Telephone: (865) 549-7204

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing has been filed electronically on June 29, 2010. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

s/ S. Russell Headrick
S. Russell Headrick